

The European Neighbourhood Policy as a conflict prevention tool

EPC Issue Paper No.47

June 2006

*By Fraser Cameron
in collaboration with Rosa Balfour*

A European Policy Centre — Conflict Prevention Partnership Publication

EPC Issue Papers reflect the views of the authors and not necessarily those of the EPC.

Table of Contents

Introduction	5
I. Growing importance of human rights and minority protection	7
II. The EU and conflict prevention	9
III. The European Neighbourhood Policy	16
IV. European Neighbourhood Policy prospects	20
V. Recommendations	21
VI. Conclusions	24
Annex	25
Bibliography	26
Endnotes	29
Executive summary	31

About the author

Fraser Cameron is Senior Adviser to the European Policy Centre on international programmes.
Rosa Balfour is a Senior Research Fellow at the Centre for Studies in International Politics.

The authors are grateful to Meike Rodekamp, Assistant Project Manager at the European Policy Centre for research assistance.

The European Neighbourhood Policy as a conflict prevention tool

By Fraser Cameron in collaboration with Rosa Balfour

Introduction

The European Neighbourhood Policy (ENP) is the flagship policy of the European Union, designed to promote a zone of friends around its borders through increased prosperity, stability and security. As such, it is linked to the priorities set out in the European Security Strategy (ESS), which emphasise the importance of a stable neighbourhood for the EU.

Although not designed specifically with conflict prevention in mind, the ENP has been widely viewed as containing elements that are useful to resolve conflict situations.

The government of Georgia, for example, has high expectations that the ENP could play a role in helping to resolve some of the disputes on its territory. However, while EU leaders and officials have not neglected this aspect of the ENP, they do not seek to exaggerate its potential. They prefer to point to the ENP's cumulative long-term impact in promoting better governance, greater prosperity and higher standards of democracy, human rights and minority protection.

To give just one example: Javier Solana, the EU's High Representative for Common Foreign and Security Policy, speaking in Vilnius on 4 May 2005, said the EU would remain actively involved in helping to resolve "frozen conflicts" in Moldova and the Southern Caucasus, but it was up to the parties involved to take responsibility for bringing about a settlement.¹

The European Commission's Strategy Paper for Armenia 2003-2006 adopted a similar approach, stating that the EU "should look for further ways in which it could support efforts to prevent and resolve conflicts as well as post-conflict rehabilitation in the Southern Caucasus".

Despite these different expectations, the ENP should be viewed against the background of a steady increase in the EU's involvement in conflict prevention and crisis management in recent years in, for example, the Balkans, Middle East, Africa and even in Asia.

It could, of course, be argued that the very process of European integration which began in the 1950s is a contribution to conflict prevention. Indeed, one could further argue that the EU has succeeded in establishing what Karl Deutsch has described as a "security community".

This is a unique contribution to governance in Europe and provides a model for other efforts to achieve regional integration. But it was only with the establishment of the Common Foreign and Security Policy (CFSP) in 1992, as a result of the Treaty of Maastricht, that the EU signalled its intention of becoming a security actor.

Although the CFSP could hardly have started at a worse time, with the break-up of former Yugoslavia, there were some modest successes in the early years, and gradually the EU began to develop greater capabilities and structures to play a more influential security role.

Perhaps the most important security policy was enlargement. By taking in the countries of central and eastern Europe, after assisting their internal political economic and social transitions, the EU extended its zone of security, prosperity and democracy across the European continent.

But what about the countries that were not included in the 'Big Bang' enlargement of 2004?

The EU's concern to ensure that any new dividing lines drawn as a result of enlargement were kept to a minimum led former Commission President Romano Prodi to formulate the concept of establishing a "ring of friends" around the EU.

This led to the 2004 ENP, which was designed as a joint project between the Union and the participating countries. Both partners would negotiate and agree action plans setting out reform priorities which, if implemented, would deepen relations between the Union and each country, depending on the individual circumstances.

Given the ENP's importance, and against the background of the debate on the EU as a growing security actor, there was immediate interest in the extent to which the action plans could be used for conflict-prevention purposes.

This paper briefly examines the EU's role in conflict prevention prior to the ENP, considers the policy's origins and aims, and assesses the potential of its action plans to promote conflict prevention. It also includes three case studies: Macedonia, Ukraine and Egypt.

I. Growing importance of human rights and minority protection

The 1975 Helsinki Conference for Security and Cooperation in Europe (CSCE) focused international attention on the link between human rights abuses and the emergence of conflict.

In 1990, the Organisation for Security and Cooperation in Europe (OSCE) conceptualised the “human dimension” of post-Cold War security in Europe, declaring that “full respect for human rights and fundamental freedoms and the development of societies based on pluralistic democracy and the rule of law, are prerequisites for progress in establishing a lasting order of peace, security, justice and cooperation”.²

These principles were translated into the EU’s emerging human rights and democracy policies at the start of the 1990s and were first applied to deal with the states emerging from the collapse of the Soviet Union and the former Yugoslavia.

The 1991 guidelines for recognising the Newly Independent States referred to the principles developed under the aegis of the Helsinki Final Act, the Charter of Paris and the United Nations Charter, “especially with regard to the rule of law, democracy and human rights, as well as the rights of minorities”.³

In fact, the relationship between human rights and security was symbolised by the protection of minorities, as abuses of their human rights frequently led to conflict and instability in the EU’s eastern neighbourhood. The protection of minorities and conflict prevention thus became the EU’s central justification for insisting on human rights throughout central, east and south-east Europe.⁴

Protecting minorities was central to promoting good neighbourly relations and resolving border disputes through the Stability Pact for Europe (also known as the Balladur Pact), proposed in 1993 by the then French Prime Minister Edouard Balladur.

This involved a number of round tables to tackle contentious issues such as minority rights and citizenship laws for Russians living in the Baltic States, or Hungarians living outside Hungary (mainly in Slovakia and Romania). The EU involved the OSCE and the Council of Europe in the Pact, and provided financial and technical assistance to support new programmes through its Phare programme.

Despite some initial scepticism, the participating states all appreciated the very practical measures proposed and implemented by the Union to deal with these sensitive issues which had the potential to cause conflicts.⁵ The Stability Pact was thus a good example of how the EU used its mix of instruments and worked with other partners to resolve some potential conflict situations.

In the enlargement process, the link between minority rights and potential conflict was made explicit in EU’s Agenda 2000 action programme, which stated that “minority problems, if unresolved, could affect democratic stability or lead to disputes with neighbouring countries. It is therefore in the interest of the Union and of the applicant countries that satisfactory progress in integrating minority populations be achieved before the accession process is completed”.⁶

This priority was reinforced in several ways. First, minority protection was included in the Copenhagen criteria for EU membership. Second, the standards for minority protection were further raised for the candidate countries to include those set out in regional treaties, such as the Council of Europe’s 1995 European Framework Convention for the Protection of National Minorities. Ratification of this convention was part of the *acquis* for accession to the EU, even though it has not been ratified by all the current Member States.⁷

The EU also showed that it was ready to uphold these principles: Slovakia’s prospects of joining the Union under Prime Minister Vladimir Meciar’s government were, for example, delayed because its lack of respect for democratic practices and treatment of its Hungarian minority.

There was also serious concern about the treatment of national minorities in south-east Europe and the consequences this could have for the region’s stability. Here, “democratisation was pursued as part of a

broad conflict resolution package”.⁸ There was a common perception that ethnic conflict was a major cause of the wars in former Yugoslavia, and the solutions set out in the 1995 Dayton Peace Agreement reflected this belief.⁹

The Regional Approach developed by the EU in 1996 placed great importance on respecting and protecting minorities, making aid and relations dependent on respect for the “right to establish and maintain their own educational, cultural and religious institutions, organisations or associations; adequate opportunities for these minorities to use their own language before courts and public authorities; adequate protection of refugees and displaced persons returning to areas where they represent an ethnic minority”.¹⁰ Protecting the rights of Kosovan Albanians was also the stated aim of the 1999 NATO intervention in Kosovo, as well as the international mediation in the 2001 Macedonian conflict (see below).

As a result of its experience in central, east and south-east Europe, the EU developed a conflict prevention strategy in which human rights and democracy were key components. According to the European Commission, “treating the root causes of conflict implies creating, restoring or consolidating structural stability in all its aspects”, and the definition of “structural stability” includes “democracy and respect for human rights, viable political structures [... and] the capacity to manage change without resort to conflict”.¹¹

The EU thus integrated human rights protection into conflict prevention – or, more specifically, human rights and minority protection into its policies towards central, eastern and south-eastern Europe. This paved the way for long-term intervention using the Commission’s civilian and technical assistance tools, based on lessons learned from the experience in former Yugoslavia and in the enlargement process. Throughout the 1990s, however, these tools and ambitions remained limited.

II. The EU and conflict prevention

II.1. A brief history

The EU's impotence in dealing with the conflicts resulting from the break-up of former Yugoslavia is well documented.¹² This overall failure coloured perceptions of the Common Foreign and Security Policy (CFSP) and it was several years before the EU began to develop serious capabilities to engage in conflict prevention.

The Amsterdam Treaty in 1997 provided for the post of High Representative for CFSP and for a policy planning and early warning unit. This was followed by the Nice Treaty, which came into force in 2003 and established a new body, the Political and Security Committee, to boost the Union's institutional capacities.¹³ The Nice Treaty also provided for a Military Committee and a Military Staff to support the EU's CFSP efforts.

At the same time, the Union was making progress in developing its military and civilian capabilities. The Helsinki Headline Goals (adopted in December 1999) aimed to ensure that the EU could put 60,000 troops into the field within 30 days, essentially for peacekeeping purposes, and to maintain them for a year.¹⁴ The Feira Headline Goals (of June 2000) aimed to ensure that the Union could provide sufficient civilians (police, lawyers, local government officials, etc) to help rebuild "failed states".¹⁵ Both goals were declared met in 2003, although some gaps remained.

Even before work began to establish these capabilities, the EU notched up a few modest successes in conflict prevention. In the mid-1990s, it organised the first Stability Pact to deal with minority and border disputes between the countries of central and eastern Europe (see above). It also launched a Joint Action to rebuild and administer the historic city of Mostar, destroyed by shelling during the Yugoslav war in 1994.¹⁶

The Union appointed Hans Koschnik, the former mayor of Bremen, to administer the city and provided close to 100 million euros for the reconstruction effort. This enabled many of the 60,000 displaced citizens to return and, although there was less progress in re-creating the multi-ethnic communities of pre-war times, the Union's involvement demonstrated the importance of both communities (Croats and Muslims) working together to restore some semblance of normal life.¹⁷

The European Commission's efforts to mediate in the dispute between Hungary and Slovakia over the construction of the Gabčíkovo dam on the Danube – which had led to inflammatory calls by some politicians in both countries for sanctions against the other¹⁸ – was another example of EU involvement in conflict prevention.

The EU was thus able to play a modest role in resolving some conflicts – mainly in its immediate neighbourhood – during the 1990s, with the potential of EU membership clearly acting as a major carrot that brought both sides in a conflict to the negotiating table. There were, however, a number of missed opportunities to use this leverage; notably the failure to resolve the Cyprus dispute or the Piran Bay issue between Slovenia and Croatia.

The EU also strengthened its overall capacities for conflict prevention and gave it greater prominence in external relations. This was given a significant boost in June 2001 when the Göteborg European Council agreed an ambitious programme to prevent violent conflicts.¹⁹ The main points of this programme were:

a) *Setting clear political priorities for preventive actions.* The Commission and the Council should cooperate more closely on conflict prevention: the Commission should provide assistance for monitoring potential conflict issues at the beginning of each Presidency and should also strengthen the conflict prevention content of its country strategy papers.

b) *Improving the EU's early warning, action and policy coherence.* To achieve this aim, there should be greater input (intelligence, assessments, political reporting) from Member States into the EU institutions.

c) *Enhancing the EU's instruments for long- and short-term prevention.* All relevant EU institutions should mainstream conflict prevention in their areas of competence.

d) *Building effective partnerships for prevention.* The EU should intensify its cooperation and exchange of information with the other relevant global institutions (UN, OSCE, NATO), as well as with regional organisations.

Since the Göteborg European Council meeting, the EU has developed its capabilities for institutional change and operations. It has addressed the root causes of conflict (such as the use of natural resources), and supported democracy and human rights through the European Initiative for Democracy and Human Rights Programme (EIDHR)

It has also undertaken useful initiatives to support security sector reform as well as disarmament, demobilisation and reintegration (DDR); developed a rapid reaction mechanism (RM) to enable speedy disbursement of funds (although the EU's CARDS – Community Assistance for Reconstruction, Development and Stabilisation – programme can be mobilised just as quickly); and established a regularly-updated 'watch list' of potential conflict situations. In addition, the EU has improved its internal procedures and capabilities, and enhanced its cooperation with the UN and other international organisations.

The ENP has provided policy-makers with an additional range of instruments to use for conflict prevention purposes. These include enhanced political dialogue with partners, a stake in the EU's internal market, increased sectoral cooperation and more targeted financial assistance through a new funding mechanism: the European Neighbourhood Policy Instrument (ENPI) (see Annexpage 25).

The promotion of democracy and respect for human rights is a major, relevant theme for conflict prevention that runs through the ENP. The EU has also given greater prominence to these issues. However, the dilemma for the Union – and for the US – is that accelerated promotion of democracy and human rights in the Arab world risks undermining existing regimes that are sometimes helpful in counter-terrorism, and could lead to Islamic fundamentalists taking power who will then disregard democracy and human rights.

A joint Council-Commission paper in December 2003 took up many of the ideas in the United Nations Development Programme (UNDP) Arab Human Development Report and called for a "firm and frank" political dialogue with partner countries, including civil society. This tougher EU stance has not, however, been followed by any real threats that might affect the operation of its Association Agreements with non-EU countries. Manipulation of the Tunisian elections, the imprisonment of democracy activists in Egypt, a restrictive law on political parties in Morocco, an amnesty for the perpetrators of human rights abuses in Algeria, etc., have all been met with a muted response.

Thus although the ENP has made promoting democracy and human rights a priority, the EU's response raises doubts about the depth of its commitment on this front.²⁰ The lack of unity among its Member States is nearly always the reason for the Union's weak response.

It is perhaps worth listing the 'frozen conflicts' that confront the EU today in its neighbourhood. These include Transnistria (Ukraine-Moldova-Russia); Abkazia and South Ossietia (Georgia-Russia); Nagorny-Karabakh (Armenia-Azerbaijan). To these one might add the authoritarian regime in Belarus, and others in North Africa and the Middle East. The absence of democracy in these countries means that there is an inevitable potential for conflicts to break out at some stage. Two countries where the EU did become engaged were Macedonia and Ukraine.

II.2. Case study: Macedonia (FYROM)

Macedonia – a country of two million people, of whom roughly 64% are Slavs and 25% Albanians²¹ – gained independence from Yugoslavia in 1991. It was immediately involved in an acrimonious dispute with Greece,

which refused to recognise its name. The EU recognised the country and the provisional name 'Former Yugoslav Republic of Macedonia' (FYROM), under which it also joined the UN. The dispute over the name is still not resolved.²²

A far more damaging threat to the new state's integrity broke out in 2001 when ethnic tensions boiled over. The minority Albanians demanded better protection under their constitution and greater participation in the government. Open hostilities broke out in February 2001 when the Albanian National Liberation Army (NLA) attacked government forces.

The insurgency spread through northern and western Macedonia during the first half of 2001, resulting in EU (and NATO) involvement and mediation. EU High Representative for CFSP Javier Solana, External Affairs Commissioner Chris Patten and NATO chief Lord Robertson were all involved in a combined effort to resolve the crisis.

In August 2001, at a critical moment in the talks, Mr Solana visited Ohrid and managed to persuade the parties to sign the Ohrid Framework Agreement that brought an end to the fighting. The agreement provided for constitutional and legislative changes to improve minority rights in Macedonia, with respect, for example, to the Albanian language and a multi-ethnic police force.²³

NATO also played a key role in resolving the conflict by deploying around 4,500 peacekeeping forces to Macedonia. These troops were later replaced by an EU force under Operation Concordia, involving 400 troops from 26 countries, and a police force under Operation Proxima. Its objective was to develop an efficient and professional police service based on European standards.

This was eventually replaced by a small EU Police Advisory Team (EUPAT) in December 2005,²⁴ consisting of 30 personnel, including EU police officers and civilian experts assisted by 20 local staff. The EU also provided funding under its Rapid Reaction Mechanism (RRM) for restoring electricity, rebuilding houses, clearing mines, and media and police training.

Between 1992 and 2005, the EU provided some 76 million euros in aid to Macedonia. The Indicative Programme for EU assistance to the country for 2005-2006 focuses on strengthening the country's administrative capacity, with particular emphasis on the rule of law, economic development – improving the business environment and supporting small and medium-sized enterprises (SMEs) – and strengthening social cohesion.²⁵ The priority sectors are democratic stabilisation (implementation of the Ohrid Agreement), public administration reform, justice and home affairs, the investment climate, trade and infrastructure, education and employment, and the environment.

Macedonia also benefits from other EU funding sources, such as bilateral assistance from Member States as well as loans from the European Investment Bank (EIB) for transport, SMEs and energy projects. EU humanitarian assistance (ECHO) activities ended in 2003.

On 9 April 2001, Macedonia became the first south-eastern European country to conclude a Stabilisation and Association Agreement (SAA) with the EU, which entered into force on 1 April 2004.²⁶ Macedonia applied for EU membership on 22 March 2004 and was granted candidate status (albeit with no date for starting accession negotiations) at the December 2005 European Council.

The EU thus played a substantial role in settling the conflict in Macedonia and preventing a further outbreak of violence. It used an impressive array of Community and CFSP instruments, and the timely release of funds under the CARDS programme and RRM mechanism helped stabilise the country.

However, probably the most important factor was the EU's offer of potential membership to Macedonia, which gave the country a vision for the future and incentives to improve relations between Slavs and Albanians. The Union's intervention was motivated by the link between human and minority rights protection and regional security, and can be interpreted as a turning point in its capacity for conflict prevention and resolution.

This was also an occasion when Mr Solana demonstrated his skills as a facilitator of negotiations – a card that he played later in other conflict situations, such as Ukraine.

II.3. Case study: Ukraine

The Orange Revolution took Europe by surprise. In October-November 2004, two rounds of presidential elections took place in Ukraine to choose a successor to Leonid Kuchma, who had been in power since 1994. During the 1990s, he had contributed to stabilising the newly-independent country, but towards the end of the decade had overseen the deterioration of democratic practices, especially press freedom and the rise to power of corrupt oligarchies.

At the same time, Russian interest was growing in ensuring that Ukraine remained in its sphere of influence. The two leading presidential candidates were simplistically pictured in the international media as representing the division between the pro-European and reform-oriented Viktor Yushchenko, supported by the country's western regions and tacitly the West's preferred candidate, and the pro-Russian Viktor Yanukovich, who had emerged from the Eastern Donetsk power base, designated as President Kuchma's heir and openly supported by Moscow.

Their rivalry came to a head in the first ballot held on 31 October after a bitterly-fought and unfair campaign that dominated political life throughout the year. The ballot was condemned as fraudulent by the international election observation mission headed by the OSCE and by almost all of the international community, with the exception of Russia and a few of its allies.

EU reaction to the first round of elections was modest, especially compared to the response from others, such as the US. The Union did not wish to interfere in the internal affairs of another country and was anxious to maintain friendly relations with Russia. It therefore limited its response to urging a fair second round, while highlighting how important these elections were for future EU-Ukraine's relations.²⁷ (The action plan which had been negotiated in the framework of the ENP and initialled in September, had made free and fair presidential elections one of its priorities.)

The situation changed dramatically in the immediate aftermath of the second round of elections on 21 November, when the first reports of widespread irregularities reached the outside world.

Three days later, the Central Electoral Committee declared Mr Yanukovich the winner of the second ballot and a political crisis erupted. The opposition announced a general strike and unprecedented numbers of people took to the streets in Kiev and other cities. Rumours began to spread about troop movements around the country. Mr Yanukovich threatened to secede the eastern regions if there was an opposition coup, and President Kuchma went so far as to raise the possibility of civil war.²⁸

Hitherto, EU action in Ukraine over the deterioration in democratic standards had largely been confined to making declarations. The development of a common EU policy towards Ukraine had been hampered by the diverse interests of key Member States, ranging from the indifference of those geographically furthest away from the country to those which attached huge importance to their relations with Russia. However, in 2003-2004, a number of contingent and structural factors led the EU to decide to intervene in the Ukrainian crisis.

The main factor that tipped the balance was the fear of violence.²⁹ Up to 500,000 protestors dressed in orange staged a permanent protest around government premises. This image was captured and transmitted worldwide by the television cameras, making EU Member States sensitive to domestic public opinion.

Even though Ukraine's previously weak civil society had been laying the foundations of the anti-Kuchma movement since the winter of 2000-2001, after his alleged involvement in the assassination of an independent journalist, observers had underestimated the wave of mass mobilisation. The demonstrations sent a powerful message around the world about the importance of democracy and free elections.³⁰

Alongside the fear that the situation might turn violent, Mr Solana was concerned to ensure a united EU response. The then Dutch Presidency of the EU and the Polish government had already sent envoys to monitor the situation on the ground between the two ballots, but the Union as a body had refrained from travelling to Kiev.³¹

With the backing of the US, and after consultations with the Polish President Aleksander Kwasniewski, Mr Solana secured a mandate to travel to Kiev and facilitate negotiations between the parties,³² despite divisions within the EU's ranks. Indeed, while most of the new Member States were pushing for close EU involvement, there were still some which feared the Russian reaction to any interference in what Moscow perceived as its sphere of influence.³³

If preventing conflict was the paramount justification for EU intervention, the way in which it performed its role illustrates the relationship between its approach to conflict prevention and its views on democracy.

First, the round table for negotiations included all the actors – including the contending candidates, Mr Kuchma, the President of the Ukrainian Parliament, Mr Solana, accompanied by Mr Kwasniewski and the Lithuanian President, the OSCE representative and a Russian government envoy. Second, Mr Solana acted as a facilitator rather than as a negotiator – instead of siding with the opposition, he tried to persuade all the parties to agree on a package of legislative reforms that would allow for another round of voting. Finally, the EU supported a domestic solution to the crisis rather than one imposed by external forces.

After days of tense negotiations, the parties agreed on a peaceful way out of the impasse. The Supreme Court annulled the second round of results and set 26 December for new elections.

At the same time, the Parliament approved a package of political reforms. These strengthened the safeguards against electoral fraud, replaced the Central Electoral Commission, and increased the powers of the Prime Minister and Parliament at the expense of the President (to come into force after the parliamentary elections of March 2006). They also gave new powers to the regions in an attempt to sedate the secessionist temptations that had arisen at the height of the crisis. In the fresh election, which was “substantially” closer to OSCE and Council of Europe standards,³⁴ Mr Yushchenko won nearly 52% of the vote and became President.

The events in Ukraine illustrated a number of features of the EU's conflict prevention strategies in relation to the promotion of democracy and human rights. Unlike the Member States and some US foundations, which sometimes seek to promote regime change, the EU can only act through the legal structures of the partner country. It would not have been possible, therefore, for the Union to support ‘opposition’ parties in the run-up to the election.

Thus, even though there had been many indications of deteriorating democratic conditions and widespread dissatisfaction with the increasingly corrupt Ukrainian political system, the EU was unable to do anything which might have been construed as assisting regime change.

The ENP action plan negotiated during 2004 was not taken seriously in Kiev. President Kuchma had made his dissatisfaction clear at the Ukraine-EU Summit held in July, although his government did initial the action plan in September. Kiev was dissatisfied that the ENP did not contain any explicit mention of EU membership and was also concerned that its prospects might be impeded by being lumped together with the southern Mediterranean states.

Despite these differing views, the action plan was published on 9 December (along with six others) – after a solution to the political crisis had been reached, but before the re-run of the second ballot.³⁵

In February 2005, the Council agreed an “action plan plus”, in which Mr Solana and External Affairs Commissioner Benita Ferrero-Waldner were given a mandate to add extra measures to reinforce the plan. This was, however, largely a cosmetic exercise.

The EU's involvement in the crisis may be seen as a conflict resolution intervention to restore democratic practices. The underlying justification for the intervention reflects the logic that the Union has been developing through enlargement, the ESS and the ENP: namely, the need to support the democratic development of the EU's neighbours in order to promote mutual security and stability.

As far as the resolution of the crisis is concerned, the successful outcome is generally ascribed to the enlarged EU, with the new Member States playing an important role by tilting the balance in favour of intervention and by rallying European Parliament support. Another key factor was Mr Solana's ability to obtain a mandate from the Member States to intervene in a rapidly-evolving situation.

The way in which the EU dealt with the crisis, by supporting the parties in the search for a democratic solution rather than imposing a conflict resolution recipe from the outside, empowered the domestic actors and made it more likely that the deal would be respected by all sides.

Looking to the future, the action plan for Ukraine is one of the most comprehensive (although this alone is not a sufficient measure of its likely success), and there are specific references to conflict prevention (Transnistria) as well as the prospects for an enhanced political dialogue with Ukraine on regional and international issues (such as non-proliferation) and crisis management. It also envisages an enhanced role for Ukraine in European Security and Defence Policy (ESDP) missions.

II. 4. The origins of the ENP

The Wider Europe initiative, launched in 2003, was the precursor to the ENP and was designed to offer those countries with zero or very distant prospects of joining the EU a deeper political relationship and increased economic integration, including closer association in EU policies.³⁶ Two distinct groups of countries were targeted for this new policy, to the south and east.

The southern group was composed of the countries of the north African coast and Middle East which are excluded from the prospect of EU membership because of their geographical location.

The eastern group, comprising Russia, Ukraine, Belarus, Moldova, Georgia, Armenia and Azerbaijan, are not necessarily excluded geographically from the EU but are far from meeting the EU's accession criteria.

The Wider Europe initiative was not received with much enthusiasm, partly because there were so many uncertainties. It was not clear what would happen to existing contractual arrangements, whether there would be extra finance to support the initiative or what programmes and policy areas would be open to the various countries. Nor was it clear who would draw up the proposed action plans and establish benchmarks for progress.

The EU had been remarkably successful in imposing regime change in the candidate countries of central and eastern Europe. But in that case, there had been a massive carrot on offer. How would the new scheme work if there were no such carrot of EU membership on the table?

Countries still on the enlargement track, such as Bulgaria and Romania, viewed the Wider Europe concept as an unnecessary distraction (even though it was never designed to apply to them). Countries which hoped to be on the enlargement track soon – Turkey, Croatia and Macedonia – viewed it with downright suspicion as a plot to put their candidatures on the backburner. Even those with distant prospects of joining the EU, such as Ukraine, disliked being lumped together with others to suit the whims of Brussels bureaucrats. Russia was not interested in being involved, and there were loud protests from another group of countries in the Caucasus, Armenia, Azerbaijan and Georgia at their initial exclusion from the initiative.

II. 5. What borders for the Union?

The Wider Europe concept was designed to deal with the consequences of the 2004 enlargement of the

Union from 15 to 25 Member States. Given the number of potential accession countries, it was inevitable that fundamental questions would be asked about the nature of the Union and its limits. Indeed, the issue of the EU's future enlargement became a theme in the two failed referenda on the Constitutional Treaty in France and the Netherlands in 2005.

Where should the final borders of the Union be drawn? It is impossible at this time to give a definitive answer to this question, which is posed increasingly by EU politicians and bewildered citizens.³⁷

To the north, the situation is clear. The only countries remaining outside the EU are Norway and Iceland. Both would have little difficulty fitting into the Union, given their membership of the European Economic Area (EEA). To the west, Ireland and Portugal are the border states facing the Atlantic. To the south, the position is equally clear: Morocco once applied for membership but was politely told it was not European, so north African states are thus slated to be good neighbours but can never join the family.

The problems for the EU begin in the east and south-east. The countries of the Balkans were given an undertaking at Thessaloniki in 2003 that they were all eligible for membership when they met the Copenhagen criteria. But no one can state with any certainty when this might occur, as it largely depends on progress in each country.

Turning to the east, the EU has to deal with the rump of a superpower (Russia), a newly independent state as big as France but unsure of its identity (Ukraine), and five countries all with significant problems (Armenia, Azerbaijan, Belarus, Georgia and Moldova).

Russia is still suffering from the loss of its empire and its superpower status. President Vladimir Putin has restored some order after the Klondike years under Boris Yeltsin, but there are some worrying indications that the Kremlin is steadily eroding the democratic gains of the 1990s.

Moscow expressed reservations about the consequences of the EU's May 2004 enlargement, which featured several ex-Soviet states, but was forced to accept the inevitable. The Union broadly welcomed the December 2004 Orange Revolution in Ukraine, although it has been exasperated by the failure of successive leaders in Kiev to introduce and implement much-needed reforms.

The EU is also in a dilemma over how to deal with Belarus,³⁸ languishing under the authoritarian Mr Lukashenka, and Moldova, home to thousands of unwanted Russian troops in the breakaway republic of Transnistria.³⁹ As regards the Caucasus, a strong lobbying campaign ensured that they were included in the ENP, and the forthcoming action plans for the Southern Caucasus are likely to include a range of measures designed to assist conflict prevention.

III. The European Neighbourhood Policy

When it was launched in 2004, the ENP was seen as covering the enlarged EU's immediate neighbours, but not countries with an accession perspective (Bulgaria, Romania, Turkey and the Western Balkans).

The ENP covers Algeria, Armenia, Azerbaijan, Belarus, Egypt, Georgia, Israel, Jordan, Lebanon, Libya, Moldova, Morocco, the Palestinian Authority, Tunisia, Ukraine and Syria. There are no action plans yet with Syria, Libya and Belarus because ENP status requires a contractual agreement such as a Partnership and Cooperation Agreement (PCA) or an Association Agreement (AA), and none exist with these three countries.

As Commissioner Ferrero-Waldner explained: "The aim of the ENP is to avoid new dividing lines on the continent and deepen relations between the EU and its neighbours. The ENP is not about enlargement, but it is about mutual interest in supporting reforms and modernisation. Each country has its own agreed action plan that reflects its needs and priorities".⁴⁰

The ENP is based on common values and interests, including democracy, a market economy and an ability to respond to challenges such as crime, migration, health, the environment and terrorism. The ENP offers progressive integration into the EU's internal market and deepened political cooperation.⁴¹

The EU plans to use the experience it gained while central Europe was in transition to help the ENP countries. It will, for example, boost the twinning schemes that enable officials and experts (particularly from new Member States with fresh experience of transition) to spend time in the ENP countries to train local officials on EU laws and standards.⁴²

III.1. The action plans

The ENP action plans are similar in outline, but the content is specific to each country. They include:

- Political dialogue;
- Economic and social cooperation;
- Trade-related issues, market and regulatory reform;
- Cooperation in justice and home affairs;
- Sectoral issues such as transport, energy, information society, environment, research and development;
- Human dimension including people-to-people contacts, civil society, education, public health.

The ENP builds on existing legal and institutional arrangements (Association Agreements, Partnership and Cooperation Agreements, the Barcelona Process) and established instruments (Association or Cooperation Councils, committees and sub-committees) to implement and monitor the policy.

From 2007, the ENP financial instrument (ENPI) will replace Tacis, MEDA and other EU programmes from which these countries currently benefit, and there will be much more flexibility in funding priority programmes.⁴³

The Commission proposed a budget of nearly 15 billion euros for ENPI, but this figure was reduced to just under 12 billion euros as a result of the compromise over the budget at the December 2005 European Council.

While the ENP's laudable aim is to reward those states that help themselves, it does not, understandably, provide a framework for those countries, such as Belarus, which show no signs of doing so. The current financial framework makes it difficult to avoid the government track and to channel assistance to civil society organisations, prompting some MEPs to call for a new European Democracy Fund.⁴⁴ However, even if such a fund were to be established, it would not be the panacea some have suggested.

The EU action plans agreed so far mention conflict prevention for specific disputes, but also see it more generally as an area for enhanced political dialogue and cooperation between the EU and partner countries.

The action plan for Moldova includes the most prominent reference to conflict prevention because of the unresolved dispute in the breakaway region of Transnistria. A key objective is to support a viable solution to the conflict, and this is one of the top priorities for action.

The EU declares its willingness “to consider ways to strengthen further its engagement” in resolving the conflict, and the action plan specifies the means to achieve this aim: Moldova’s constructive participation; effective cooperation between Moldova and the EU; strengthened EU support for the OSCE and mediators; preparation for engagement in the post-settlement scenario; reinforcing EU-Moldavian political dialogue; and active engagement in trilateral talks (Moldova-Ukraine-European Commission). The chapters on planned cooperation between the EU and Moldova in other areas – such as rule of law and foreign and security policy, conflict prevention and crisis management – also take the conflict situation in Transnistria into account.

The action plan for Ukraine also mentions the Transnistria conflict, and lays out the efforts that the EU and Ukraine could make to reach a solution: Ukraine is to continue its efforts as a mediator, and the EU will continue to support Ukraine and the OSCE; Ukraine will develop its cooperation with Moldova; and both Ukraine and the EU will actively engage in the trilateral expert talks involving the Ukraine, Moldova and the European Commission.

Under the heading of “political dialogue and reform”, the action plan contains a chapter on “regional and international issues, cooperation on foreign and security policy, WMD non-proliferation and disarmament, conflict prevention and crisis management”. It also includes an increased role for Ukraine in ESDP missions and relevant crisis-management exercises, and EU-Ukrainian cooperation in addressing common security threats.

The action plans for Israel, Jordan, Morocco, and Tunisia include increased cooperation on conflict prevention and crisis-management issues. For Morocco and Tunisia, this could involve participation in EU training and missions, while the action plan for Israel mentions cooperation on research and policy planning. The action plans for Israel, the Palestinian Authority and Jordan mention the conflict in the Middle East, and stress that political dialogue and cooperation should be strengthened and should include the prospects for resolving the conflict.

Thus, the action plans make very little direct mention of conflict prevention. The preferred approach is to promote political and economic reforms, hoping that they will one day lead to a climate conducive to conflict resolution.⁴⁵ Instead of actively tackling the conflict issues (a futile gesture when others have tried and failed), the EU prefers to support existing conflict-resolution mechanisms.⁴⁶

The Union’s approach is therefore low key and unlikely to capture headlines, but the gradual socialisation approach may turn out to be beneficial in the longer term.

The EU needs its neighbours’ cooperation to tackle problems of illegal migration, terrorism and cross-border crime, as much as they need access to partial EU programmes. If it does not offer more than is currently on the table, the Union may find itself facing a ring of states in distress rather than a ring of friends.

III.2. Case study: Egypt

With a population of 72 million, Egypt is the largest country in the Arab world and occupies an important geo-strategic position. It does not face any major external threats although terrorism (domestic and external) is a problem and the country could also be affected by a breakdown in law and order in Palestine (Gaza).

But Egypt has a number of internal problems that if not tackled in a timely and appropriate manner could lead to conflict. These include the widening rich-poor divide; the exclusion of some moderate Islamic

forces from the political process; and the lack of agreement on a successor to President Hosni Mubarek who has ruled Egypt for the past 27 years.

There is also considerable disquiet at the way in which the Emergency Law is applied and its spillover effect on law enforcement. Furthermore, there are tensions between the predominantly Muslim population and the minority Coptic community which are sometimes exploited by the security forces. All these add up to significant concerns that if the movement towards genuine democracy in Egypt is too slow, this could lead to internal conflict which might spill over into the rest of the region.

Although the EU has had an Association Agreement with Egypt since 2004 based on “respect for human rights and democratic principles”, it has rarely adopted a tough stand towards its southern neighbours, including Egypt. Article 2 of the Association Agreements provides for them to be suspended if governments commit human rights abuses or fail to stick to democratic practices. But this Article has never been invoked and most EU officials see it as akin to the nuclear bomb option – something which is nice to have but cannot realistically be used.

The US has been tougher on Egypt, with Secretary of State Condoleezza Rice cancelling a planned visit in February 2005 after the country jailed an independent MP, Ayman Nour. The US Congress has frozen talks on a Free Trade Agreement with Egypt and delayed the latest annual aid payment of 1.8 billion dollars because of recent developments, including the Nour case, the disciplinary trials faced by some outspoken judges and the postponement of local elections. However, although the US has an important influence on Egypt’s foreign and security policy, it has had much less influence on domestic politics.

When Commissioner Ferrero-Waldner visited Egypt in early May, she said EU-Egypt relations were at a “turning point” and sought to demonstrate how important the ENP was for Egypt.

She said Egypt could use the ENP to deepen its political cooperation with the Union, based on the common values of democracy, human rights and the rule of law. The Commissioner added that the ENP was “the most comprehensive and in-depth joint agenda we have ever agreed on” and moved EU-Egypt relations to a fully-fledged partnership on all issues of common interest.

The ENP action plan could be signed in mid-June, and will focus on supporting Egypt’s national priorities and reforms in three key areas: the judicial and political reform process (including human rights); economic and social programmes; and cultural and interpersonal dialogue and actions.

Mrs Ferrero-Waldner emphasised that there would be detailed plans to help Egypt participate in the EU’s single market and promised to work towards a free trade area in agricultural goods and services. She also emphasised that it was important for Egypt to live up to its international commitments on democracy and human rights. “Only a true democratic state,” she said “could be an effective bulwark against extremism and violence”.⁴⁷

The Commissioner was right to emphasise democracy and human rights. According to Human Rights Watch, some 15,000 people remain in detention under the Emergency Law and there are repeated, credible allegations of torture by the security forces, restrictions on press freedom and discrimination against women.

Egyptian NGOs also agree that the EU is right to emphasise democracy and human rights. They point to the difficulties many NGOs, media and trades unions face in meeting ever-stricter government regulations, funding requirements and infiltration by the security forces. They have proposed involving civil society in the benchmarking process to review progress in the action plans, and would like to be able to submit papers to the annual meeting of the EU-Egypt Sub-Committee on Regional and International Issues and Human Rights.

Shortly after the Commissioner’s visit to Egypt, the Austrian Presidency issued a CFSP declaration on 15 May, expressing “concern” about the Egyptian authorities’ reaction to the recent demonstrations

against prolonging the State of Emergency and the ongoing disciplinary proceedings against two Egyptian judges for, *inter alia*, criticising the conduct of last year's parliamentary elections.

The CFSP statement went on: "The EU calls on the Egyptian government to allow civil society activists and other political forces to express themselves freely, to permit peaceful demonstrations and freedom of assembly and to maintain public order by transparent and proportionate legal procedures." It remains to be seen whether this unusual but welcome step will have any impact on the Egyptian authorities, which are highly sensitive to outside criticism.

Egyptians are also sensitive about the way in which the EU often approaches Egypt and other MEDA partners. Many complain of arrogance and double standards in Union practices. They allege that the EU does not understand the importance to Egypt of resolving the Arab-Israel dispute. They also question the EU's desire for a genuine partnership, citing its unwillingness to ease visa restrictions and the relatively low levels of European Foreign Direct Investment (FDI).

Regarding EU assistance, the National Indicative Programme for 2005-2006 involves total funding of 243 million euros, including a sum for "good governance, human rights and democratisation". In 2005, the Union spent a mere 1 million euros on promoting democracy under the European Initiative for Democracy and Human Rights Programme (EIDHR) (plus 5 million euros under the MEDA programme), with a similar figure for 2006.⁴⁸ These are very small amounts for a country the size of Egypt.

How can the ENP help resolve some of these issues?

- 1) Its profile needs to be raised within the country, both by the EU Member States and the Egyptian authorities.
- 2) The EU should continue to promote its basic values and criticise the Egyptian authorities when necessary (e.g. over unlawful imprisonment, torture), while being aware of Egyptian sensitivities.
- 3) The EU should insist on talking to civil society and ensuring that it has an input into the assessment of the action plans.
- 4) The EU should explore the possibility of using the proposed cross-border financing facility for projects with Sudan and Libya with Egyptian authorities.
- 5) The EU should stress the importance of a transparent, legal culture in order to attract European FDI to the Egyptian authorities.
- 6) The EU should involve Egypt more in discussions on regional security.
- 7) The EU should exercise gentle pressure to encourage a genuinely open and transparent political process, including allowing various opposition groups to participate in the political arena.

All action plans are different as they reflect the individual circumstances of each country. At first sight, there is little in the plan proposed for Egypt that relates directly to preventing conflict. But viewed in the wider context, there are several strands that could be used. These cover proposals on good governance, including the Sub-Committee on Regional and International Issues and Human Rights; the possibility of using funds for cross-border projects; and a general move to include Egypt in certain EU policies that should help improve its economic and social position.

IV. European Neighbourhood Policy prospects

Although the ENP is not a specific conflict prevention tool, it does contain many elements that characterise the EU's approach. These include the development of long-term policies which favour stabilisation, support for gradual transitions towards democracies and market economies, economic integration, civil society assistance and people-to-people dialogue.

It also reflects the EU's general philosophy of international relations: multilateralism, political dialogue, cooperation and the use of economic tools to tackle the root causes of conflict, such as poverty, deprivation, human rights abuses, corruption and bad governance.

The ENP complements the range of conflict prevention tools and strategies that the EU has developed over the past decade. It remains to be seen whether it will achieve its stated objectives. Much will depend on the political will, both in the EU and neighbouring countries, to follow through on commitments and whether the ENP will be given adequate resources.

Yet it is precisely because of the so-called 'enlargement fatigue' and the recently much-discussed limits to the EU's absorption capacity that the EU should use the ENP to ensure its power of attraction, despite the period of uncertainty that began after the failure of the constitutional project.

Regional cooperation

The ENP's conflict prevention dimension could be further strengthened by devoting more resources to regional cooperation.

The EU has consistently attempted to develop policies on a regional basis by grouping countries together and creating common structures. The Euro-Mediterranean Partnership, the Stabilisation and Association Process for South-east Europe, development cooperation policies with the African, Caribbean and Pacific (ACP) countries, and the building of relations between blocks of countries (Mercosur, ASEAN), have all been attempts to encourage regional cooperation. These are seen as means to foster trade, cross-border dialogue and reduce tensions. Regional cooperation is thus an aspect of conflict prevention.⁴⁹

In the southern Mediterranean, south-south trade remains a very small percentage of total trade, as all partners privilege economic relations with the EU. But these experiences should not deter the EU from fostering the development of closer relations between its neighbours.

The ENP provides a weak framework to encourage regional cooperation. To an extent, this is because of the way policy was developed, as it was first conceived as an 'eastern policy', then extended to the Mediterranean and later to the Southern Caucasus. This resulted in attempts to build a region where no such region existed. The key common feature of countries as different from each other as Belarus and Tunisia is that they all border the EU – not each other.

Secondly, the Commission has introduced the concept of 'differentiation' as an important way to stimulate progress in those countries most willing to carry out political and economic reform. This offers an added incentive to those countries, especially on the EU's southern borders, which feel hostage to the limitations of the Euro-Mediterranean regional framework.

The Commission hopes that differentiation will trigger a virtual circle of healthy competition between countries to obtain more and better benefits from the EU. However, this does not improve relations between its neighbours. What incentive is there to improve relations between, say, Morocco and Algeria?

One analyst has argued compellingly in favour of the creation of 'spaces' in and around the EU – in economics, justice and security matters, and on political and humanitarian issues.⁵⁰ The challenge of this approach would be to reconcile the advantages of differentiation with the long-term goal of creating such spaces. Regional cooperation could be a helpful vehicle.

V. Recommendations

A Commissioner for the ENP

With the onset of enlargement fatigue and rising doubts about the future of enlargement, the ENP is likely to become more important in coming years.

At present, responsibility for the ENP is vested in the External Relations Commissioner. This was a deliberate policy choice designed to avoid raising exaggerated expectations about future EU accession for some countries in the ENP. However, the ENP covers 16 countries and now that it is moving to an operational phase, which requires considerable travel, there is a strong argument for Commission President José Manuel Barroso to appoint a Commissioner exclusively for the ENP.

This could be done when Bulgaria and Romania join the Union, as this will trigger an inevitable reshuffle of portfolios. The appointment of a Commissioner would send a strong signal to the countries involved that the Union is serious about the ENP and committed to its success.

Increased resources for the ENP

The ENP's budget provisions are scarcely adequate given the number of countries involved.

With just 12 billion euros available over seven years, it is not a huge sum, especially given the importance of the ENP countries to the Union's security. While the financial resources from the EU budget are unlikely to be increased, there is nothing to prevent individual Member States making contributions for individual projects, not to mention their bilateral assistance programmes which will now also be targeted at the action plan priorities.

Aside from increased financial resources, more human resources need to be devoted to the ENP. These could come from the Member States, since there is little prospect of a significant redeployment of EU officials.

A free trade area – at last

For many years, the EU has promoted the idea of a free trade area stretching from Morocco to Vladivostok. This aim was included in numerous Association Agreements and Partnership and Cooperation Agreements signed between the EU and its neighbours.

Hitherto, the emphasis has been on bilateral free trade deals and only limited attempts have been made to move forward on the regional front. Now is the time to move towards a pan-European free trade area involving as many countries as possible which are able to meet the criteria.⁵¹ There could also be accelerated progress in specific economic sectors, such as the tourist industry.

Energy dialogue

Energy is another area where the ENP countries could be involved as the EU struggles to forge both an internal and external energy policy.

Most of the Union's neighbours are important suppliers (Algeria) or have important transit facilities (Ukraine). All of them have a vital interest in the future of an EU policy that takes their interests into account. To avoid any possible future conflict over energy supplies, the EU should ensure that the ENP countries are involved in the development of such policies from an early stage.

Involvement in CFSP/ESDP

While the ENP speaks of a more effective political dialogue with partners, this will only have any meaning if both sides really engage in a full and frank discussion of differences, including sensitive issues.

There is provision for some of the ENP countries to become more closely involved in CFSP and ESDP operations. Ukraine and Morocco have, for example, been supportive of ESDP missions in the Balkans and discussions are underway about Kiev supplying the Union with long-range transport aircraft until the EU's own planes come on stream. This is an obvious win-win situation and should be encouraged. Many ENP countries also 'shadow' the Union's CFSP, and more could be done to involve certain of them in the discussions prior to CFSP decisions, as well as during the implementation phase.

Since the Orange Revolution, Ukraine has increasingly aligned its foreign policy positions to EU CFSP declarations, albeit with some interesting exceptions relating to Belarus, Kosovo and Central Asia.

Although the EU and some of its neighbours hold different views on key foreign policy issues, the Union should encourage increased political dialogue and CFSP cooperation and encourage ENP countries to associate themselves with CFSP declarations and positions. Similarly, Ukraine and Morocco's experience of participating in ESDP peacekeeping and police missions could be offered to other ENP countries. There could also be joint military exercises, and training in security matters and on international legal standards with regard to human rights.

Involvement in justice and home affairs

As with the CFSP and ESDP, the ENP countries could become more closely involved in preparing and implementing policy decisions in the justice and home affairs field. Many of these deal with highly-sensitive issues, such as asylum, visas, immigration, borders, counter terrorism, etc, which are also issues where the EU needs support from ENP countries if its policies are to be effective. Hence it makes sense to involve them more, both upstream and downstream.

Seminars and workshops on conflict prevention

The EU could usefully run a series of workshops and seminars on conflict prevention and crisis management for ENP countries. These should involve both officials and NGO representatives from the Union and third countries.

They should seek to a) explain the Union's approach to the above subjects; b) explain the limitations facing the Union; and c) engage both sides in a discussion of the fundamentals needed to prevent conflicts.

As direct financing of NGOs in partner countries is a sensitive issue, foundations could be asked to support their participation. Alternatively, a European Democracy Foundation should be established, as this would be more flexible than the Commission in dealing with requests for support from NGOs.

Increase cross-border projects

Cross-border cooperation is one of the ENP's innovative features. It aims to reduce the dividing lines between the EU and its neighbours, and to draw on the experiences of the Union's Interreg and PHARE cross-border programmes. The cross-border cooperation component will amount to roughly 1.1 billion euros, approximately half of which will come from the European Regional Development Fund (ERDF). Some allocations have already been earmarked for cross-border projects, such as those involving Kaliningrad/Spain/Morocco and Poland/Belarus/Ukraine.

Given the importance of such activities and their proven success in reducing tensions between communities, there should be additional resources for cross-border projects. In addition, these projects could be extended to include cross-border cooperation between the neighbours themselves e.g. Egypt/Libya.

Similarly, the ENPI gives far greater importance to sub-state actors than previous assistance programmes, and favours partnership projects carried out between local governments in the EU and its neighbours. Here too, sub-state cooperation could be encouraged between partners to reduce tensions at the local level, through greater community participation.

Border management

Both the Council and Commission have actively supported border-management projects. The Council took the lead in organising and implementing the EU presence at the Rafah border crossing between Egypt and the Palestinian Territories in Gaza, while the Commission took the lead in the recently-inaugurated Border Assistance Mission on the Moldova-Ukraine frontier.

In both cases, the EU is working to develop local border-control capacities in order to reduce illegal trafficking. The Moldova mission's other objective is directly related to conflict prevention, as it is building cross-border cooperation and confidence.⁵² Lessons learned from Rafah and Moldova could also be used in other problematic border regions, such as the Caucasus.

VI. Conclusions

The ENP was neither conceived nor designed specifically with conflict prevention in mind. However, as argued at the beginning of this paper, the EU's functionalist approach towards cooperation and integration has greatly improved Europe's overall security situation.

The basic premise underpinning the ENP is that closer cooperation with the EU will benefit both sides, reduce potential conflict situations and lead to a more secure, stable and prosperous Europe. Reshaping domestic political and economic structures will enhance overall security and offer a far firmer basis for stability than strategies based on containment and deterrence.

However, an important consideration for the EU has been the fear that political change and democratisation could, in the short term, produce instability, as the mixed reactions to the Barcelona Summit in November 2005 showed. The priority attached to counter terrorism since 9/11 has further complicated this aim.

By and large, the action plans' broad objectives, such as democratisation and the rule of law, are the right ones, although they must be pursued vigorously and not regarded as paper commitments. This will not be easy as, in certain countries, action plans are negotiated with the state authorities, which are sensitive about proposals such as reforming the security sector or establishing a genuinely independent judiciary, that might affect the *status quo*.

Breaking down the concept of 'democracy' into sectoral categories is the first step, but these remain largely generic and need to be translated into concrete measures for each country. Several forums for dialogue have been established across the Mediterranean, but concrete action is needed.

It is important not to present the democracy and human rights' argument in terms of 'our security' and 'our values' – an argument that US President George Bush and UK Prime Minister Tony Blair have often used. EU support must be aimed at promoting local values and aspirations.

There are obvious limits to what the ENP can and cannot achieve. The key factor for success will be the willingness of both partners to use all the ENP instruments in a positive and forward-looking manner.

There are already some signs that the ENP is having a positive effect on relations between Israel and Palestine. Similarly, the border cooperation between Ukraine and Moldova, promoted by the EU, is beginning to deliver improvements as regards the rule of law.

It makes little sense, therefore, to denigrate the ENP before it has had a chance to prove its worth.

Given the nature of some partner governments, one should not have exaggerated hopes for the ENP, as its potential for conflict prevention must be viewed mainly in the long term. Nevertheless, it is to be hoped that the proposals outlined above could make the ENP a more effective instrument.

Annex

Basic tools for conflict prevention and what the ENP adds		
Subject area	Basic EU tools for conflict prevention	Additional ENP tools for conflict prevention
Political/diplomatic/ military	Prospect of EU accession	Deepened political and economic integration with the EU
	Joint actions, common positions, common strategies	
	Political dialogue	“More effective” political dialogue
	High-level visits (e.g. by the High Representative for CFSP)	
	Early warning	
	Sending special envoys	
	Making peace proposals	
	Sponsoring/hosting peace conferences	
	Administering a foreign city	
	Diplomatic sanction/recognition	
	Imposing arms embargoes (note: economic)	
	ESDP missions (military & civilian)	
	Imposing visa bans	
		People-to-people programmes
Economic	Concluding/delaying trade agreements	Enhanced preferential trade relations and financial and technical assistance
		Inclusion in EC programmes, agencies. Stakes in Internal Market
	Concluding/delaying cooperation agreements	Increased sectoral cooperation (energy, transport, environment, etc.)
	Providing/reducing aid	European Neighbourhood and Partnership (ENPI)
	Embargo/boycott	
		Country-specific priorities and strategies

Updated from Karen E Smith (2003) *European Union Foreign Policy in a Changing World*, Polity Press. pp.60-61 and Christopher Hill ‘The EU’s Capacity for Conflict Prevention’, *European Foreign Affairs Review* 6, no.3, 2001, pp.315-334

Bibliography

Documents

COM(2003) 104, Wider Europe – Neighbourhood: A New Framework for relations with our Eastern and Southern Neighbours, 11 March 2003. http://europa.eu.int/comm/world/enp/pdf/com03_104_en.pdf

COM(2004) 373, European Neighbourhood Policy Strategy Paper, 12 May 2004. http://europa.eu.int/comm/world/enp/pdf/strategy/strategy_paper_en.pdf

COM(2004) 628, Proposal for a regulation of the European Parliament and of the Council laying down general provisions establishing a European Neighbourhood and Partnership Instrument, 29 September 2004. http://europa.eu.int/comm/world/enp/pdf/com04_628_en.pdf

Council Joint Action 2005/826/CFSP on the establishment of an EU Police Advisory Team (EUPAT) in the former Yugoslav Republic of Macedonia (FYROM), 24 November 2005. http://europa.eu.int/eur-lex/lex/LexUriServ/site/en/oj/2005/l_307/l_30720051125en00610064.pdf

Council Decision 94/308/CFSP on the EU Administration of Mostar, 16 May 1994. <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:31994D0308:EN:HTML>

Congressional Research Service (CRS) Report for Congress, *Macedonia (FYROM): Post-Conflict Situation and U.S. Policy*, 17 May 2005. p.16. <http://www.fas.org/sgp/crs/row/RL32172.pdf>

EU Programme for the Prevention of Violent Conflict, adopted at the European Council meeting 15-16 June 2001. <http://www.eu2001.se/static/eng/pdf/violent.PDF>

EU/Ukraine Action Plan. http://europa.eu.int/comm/world/enp/pdf/action_plans/ukraine_enp_ap_final_en.pdf

Multi-annual Indicative Programme for the former Yugoslav Republic of Macedonia, CARDS Assistance to, 2005-6. http://europa.eu.int/comm/enlargement/fyrom/pdf/mip_2005_6.pdf

Ohrid Framework Agreement, 13 August 2001. <http://www.president.gov.mk/prilozi/dokumenti/180/FRAMEWORK%20AGREEMENT.pdf>

Presidency Conclusions, Copenhagen European Council 21-22 June 1993. http://ue.eu.int/ueDocs/cms_Data/docs/pressData/en/ec/72921.pdf

Presidency Conclusions, Brussels European Council, 11-13 December 1993. <http://europa.eu.int/rapid/pressReleasesAction.do?reference=DOC/93/11&format=HTML&aged=1&language=EN&guiLanguage=en>

Presidency Conclusions, Santa Maria Da Feira European Council 19-20 June 2000. http://ue.eu.int/ueDocs/cms_Data/docs/pressData/en/ec/00200-r1.en0.htm

Presidency Conclusions, Helsinki European Council, 10-11 December 1999. http://europa.eu.int/council/off/conclu/dec99/dec99_en.htm

SEC (2004) 566, Country Report Ukraine, 12 May 2004. http://europa.eu.int/comm/world/enp/pdf/country/ukraine_enp_country_report_2004_en.pdf

SEC (2005) 287/3, Country Report Egypt, 2 March 2005. http://europa.eu.int/comm/world/enp/pdf/country/egypt_country_report_2005_en.pdf

SPEECH/02/619 “A Wider Europe – A Proximity Policy as the key to stability”, Romano Prodi, Brussels,

5-6 December 2002. http://europa.eu.int/comm/external_relations/news/prodi/sp02_619.htm

Stabilisation and Association Agreement between the European Communities and its Member States and the former Yugoslav Republic of Macedonia (2001/0049 ACV), 26 March 2001.
http://europa.eu.int/comm/enlargement/fyrom/pdf/saa03_01.pdf

Treaty on European Union (consolidated text), *Official Journal C325 of 24 December 2002*.
<http://europa.eu.int/eur-lex/lex/en/treaties/index.htm>

Secondary Sources

Roberto Aliboni 'The geopolitical implications of the European neighbourhood policy'; *European Foreign Affairs Review 2005*, v. 10, n. 1, Spring, p. [1]-16.

Fulvio Attinà and Rosa Rossi,(eds.) (2004) *European Neighbourhood Policy: Political, Economic and Social Issues*; The Jean Monnet Centre "Euro-Med", Department of Political Studies.
<http://www.fscpo.unict.it/EuroMed/ENPCataniabook.pdf>

Rosa Balfour et al. 'The challenges of the European Neighbourhood Policy', *The International Spectator 2005*, v. 40, n.1, January-March, p. [7]-57.

Rosa Balfour 'Re-thinking the Euro-Mediterranean political and security dialogue', *Occasional Paper 52* – May 2004, European Institute for Security Studies. <http://www.iss-eu.org/occasion/occ52.pdf>

Sven Biscop (2005) *The European Security Strategy and the Neighbourhood Policy: A New Starting Point for a Euro-Mediterranean Security Partnership?* Royal Institute for International Relations (IRRI-KIIB).
http://www.irri-kiib.be/papers/EUSA_ESS_EMP_Biscop.htm

Fraser Cameron (1999) *The Foreign and Security Policy of the European Union: past, present and future*, Sheffield: Sheffield Academic Press. p.106.

Guy-Pierre Chomette 'La nouvelle frontière', *Politique internationale 2004*, n. 104, été. p.137-147.

Michele Comelli 'The Approach of the European Neighbourhood Policy (ENP): distinctive features and differences with the Euro-Mediterranean Partnership', paper presented at the IGC Net conference "The European Union as an International Actor : Challenges and Options for the Future", Brussels, 17 November 2005. http://www.igc-net.org/Conference_17Nov05/Comelli_ENP_Barcelona_Dec05.pdf

Roland Dannreuther (ed.) (2004) *European Union foreign and security policy: towards a neighbourhood strategy*; London: Routledge.

Paul Duta 'European Neighbourhood Policy and its Main Components', *Romanian Journal of International Affairs 2005*, v.10, n.1-2, p. [229]-246.

Michael Emerson et al. (2005) *The reluctant debutante: the European Union as a promoter of democracy in its neighbourhood*, Brussels, Centre for European Policy Studies. http://shop.ceps.be/BookDetail.php?item_id=1242

Michael Emerson 'Two Cheers for the European Neighbourhood Policy', *Centre for European Policy Studies*, 27 June 2004. http://www.ceps.be/Article.php?article_id=338&

Euro-Mediterranean Human Rights Network *European Neighbourhood Policy: Human Rights in EU-Egypt Relations*, Recommendations of Egyptian Non Governmental Organizations for the EU-Egypt Action Plan, January 26-27 2006. <http://www.euromedrights.net/english/emhrn-documents/country-reports/Executive%20Summary%20ENP%20Egypt.pdf>

Elspeth Guild (June, 2005) *What is a Neighbour? Examining the EU Neighbourhood Policy from the Perspective of Movement of Persons*, European Council on Refugees and Exiles. <http://www.ecre.org/research/What%20is%20a%20NeighbourEGuild.pdf>

Hiski Haukkala, Arkady Moshes (2004) *Beyond "Big Bang": the challenges of the EU's neighbourhood policy in the East*, Helsinki: Finnish Institute of International Affairs.

Nicolas Hayoz, Leszek Jesien, Wim van Meurs (2005) *Enlarged EU – enlarged neighbourhood: perspectives of the European neighbourhood policy*, Bern: P. Lang.

Christopher Hill 'The EU's Capacity for Conflict Prevention', *European Foreign Affairs Review* 6, no. 3 (2001). pp. 315-334.

Human Rights Watch 'Georgia and the European Neighbourhood Policy' *Briefing Paper*, June 15, 2005. <http://hrw.org/backgrounder/eca/georgia0605/georgia0605.pdf>

Human Rights Watch 'Azerbaijan and the European Neighbourhood Policy', *Briefing Paper*, June 15, 2005. <http://hrw.org/backgrounder/eca/azerbaijan0605/azerbaijan0605.pdf>

Waldemar Hummer 'Die Union und ihre Nachbarn: Nachbarschaftspolitik vor und nach dem Verfassungsvertrag', *Integration 2005*, v. 28, n. 3, p.[233]-245

International Crisis Group 'Reforming Egypt: In Search of a Strategy', *Middle East/North Africa Report* N°46, 4 October 2005. <http://www.crisisgroup.org/home/index.cfm?id=3718&l=1>

Elisabeth Johannson-Nogués 'A "ring of friends"?: The implications of the European Neighbourhood Policy for the Mediterranean', *Mediterranean politics 2004*, v.9, n.2, Summer, p.240-247.

Iris Kempe *Eine neue Ostpolitik: Europas Antwort auf die Regenbogenrevolution; Osteuropa*, 2005, v. 55, n.9, p.[21]-34.

Mark Leonard and Charles Grant (2005) *Georgia and the EU: can Europe's neighbourhood policy deliver?* London: Centre for European Reform. <http://www.cer.org.uk/pdf/policybrief%5Fgeorgia%5Fsept05.pdf>

Dov Lynch 'The Challenges of the European Neighbourhood Policy – The Security Dimension of the European Neighbourhood Policy', *International Spectator* Vol. 40 – issue 1 p. 33, 2005.

James W. Morrison 'NATO expansion and alternative future security alignments', Chapter I, *McNair Paper 40*, April 1995. <http://www.ndu.edu/inss/McNair/mcnair40/m040ch01.html>

Karen E Smith, (2003) *European Union Foreign Policy in a Changing World*, Cambridge: Polity Press.

Karen. E Smith, 'The outsiders: the European neighbourhood policy', *International Affairs – Oxford* Vol. 81 issue 4, 2005. p.757,

Eckart D Stratenschulte 'Wandel durch Annäherung oder Selbstaufgabe?: Die Politik der "neuen Nachbarschaft" und die Europäische Union' *Integration 2004*, v. 27, n. 1/2, p.95-100.

Nathalie Tocci 'The Challenges of the European Neighbourhood Policy - Does the ENP Respond to the EU's Post-Enlargement Challenges?' *International Spectator* Vol. 40 – issue 1, 2005.

World Wide Fund *The European Neighbourhood Policy and the Environment*, WWF Position Paper, December 2005. http://assets.panda.org/downloads/wwf_position_paper_on_enp_december_05.pdf

Endnotes

1. *Agence Europe*, 5 May 2005.
2. Conference on Security and Cooperation in Europe (1990), Document of the Copenhagen meeting of the Conference on the Human Dimension of the CSCE, downloadable from www.osce.org/docs/english/1990-1999/hd/cope90e.pdf.
3. European Political Cooperation Statement by an extraordinary EPC Ministerial Meeting concerning the 'Guidelines on the Recognition of New States in Eastern Europe and in the Soviet Union', Brussels and The Hague, 16 December 1991. It worth remembering, however, that the EU Member States were the first not to follow through with their principles as they recognised Croatia, which did not satisfy the criteria established, and they did not recognise Macedonia's bid for independence because of the Greek veto.
4. Rosa Balfour (2006).
5. James W Morrison 'NATO expansion and alternative future security alignments' *McNair Paper* 40, April 1995. <http://www.ndu.edu/inss/McNair/mcnair40/m040ch01.html>.
6. European Commission 'Agenda 2000: For a Stronger and Wider Europe', Strasbourg 15 July 1997, DOC 97/6.
7. Manfred Novak (1999) 'Human Rights "Conditionality" in Relation to Entry to, and Full Participation in, the EU', in Philip Alston (ed.), *The EU and Human Rights*, Oxford: Oxford University Press, pp. 687-698.
8. R.Youngs. (2001) *Europe's Mediterranean and Asian Policies*, Oxford: OUP. p 24.
9. On this issue, see International Commission on the Balkans (1996). <http://www.balkan-commission.org>.
10. Council of the European Union, Annex to Annex III to Council Conclusions, 'Application of Conditionality with a view to developing a Coherent EU-Strategy for the Relations with the Countries in the Region', Luxembourg, 29-30 April 1997.
11. European Commission 'On Conflict Prevention', COM(2001) 211 final: Brussels: 11 April 2001.
12. Carl Bildt (1997) *Peace Journey*, Weidenfeld and Nicholson.
13. Treaty on European Union (consolidated text) 'Official Journal C325 of 24 December 2002', (Title V, Art. 18.3 High Representative for CFSP; Art. 25 Political and Security Committee). <http://europa.eu.int/eur-lex/lex/en/treaties/index.htm>.
14. Presidency Conclusions, Helsinki European Council, 10-11 December 1999. http://europa.eu.int/council/off/conclu/dec99/dec99_en.htm.
15. Presidency Conclusions, Santa Maria Da Feira European Council 19-20 June 2000. http://ue.eu.int/ueDocs/cms_Data/docs/pressData/en/ec/00200r1.en0.htm.
16. Council Decision 94/308/CFSP, 16 May 1994. <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:31994D0308:EN:HTML>.
17. Website of the Office of the High Representative and EU Special Representative in Bosnia and Herzegovina, Regional Office Mostar. http://www.ohr.int/ohr-offices/mostar/history/default.asp?content_id=5533.
18. Fraser Cameron (1999) *The Foreign and Security Policy of the European Union: past, present and future*, Sheffield: Sheffield Academic Press. p.106.
19. EU Programme for the Prevention of Violent Conflict, adopted at the European Council meeting 15-16 June 2001. <http://www.eu2001.se/static/eng/pdf/violent.PDF>.
20. See forthcoming paper by Rosa Balfour for the EPC which examines the EU's promotion of democracy in the neighbourhood.
21. http://europa.eu.int/comm/enlargement/fyrom/political_profile.htm (2002 census).
22. CRS Report for Congress *Macedonia (FYROM): Post-Conflict Situation and U.S. Policy*, 17 May 2005, p. 16. <http://www.fas.org/sgp/crs/row/RL32172.pdf>.
23. Ohrid Framework Agreement, 13 August 2001, available at <http://www.president.gov.mk/prilozi/dokumenti/180/FRAMEWORK%20AGREEMENT.pdf>.
24. Council Joint Action 2005/826/CFSP, 24 November 2005. http://europa.eu.int/eur-lex/lex/LexUriServ/site/en/oj/2005/l_307/l_30720051125en00610064.pdf.
25. Multi-annual Indicative Programme for CARDS Assistance to the Former Yugoslav Republic of Macedonia, 2005-6. http://europa.eu.int/comm/enlargement/fyrom/pdf/mip_2005_6.pdf.
26. Stabilisation and Association Agreement between the European Communities and its Member States and the Former Yugoslav Republic of Macedonia (2001/0049 ACV), 26 March 2001. http://europa.eu.int/comm/enlargement/fyrom/pdf/saa03_01.pdf.
27. Declaration by the Presidency of the European Union on the presidential elections of 31 October 2004 in Ukraine, 1 November 2004; European Council, Presidency Conclusions, 14292/04, Brussels: 5 November 2004.
28. Nick Paton Walsh 'US rejects Ukraine poll as protestors dig in', *The Guardian*, 25 November 2004.
29. Interviews with officials at the Council of the European Union, April 2006.
30. According to officials at the Council of the European Union interviewed in April 2006.
31. At the time Poland was the holder of the rotating Presidency of the Council of Europe.
32. Interviews with official at the Council of the European Union, April 2006.
33. See 'Pologne, Hongrie et Estonie se rangent aux côtés de l'opposition', *Le Monde*, 25 November 2004 and Judy Dempsey, 'EU needs to act, some say', *International Herald Tribune*, 23 November 2004.
34. International Election Observation Mission, Presidential Election (Repeat Second Round), Ukraine, Statement of Preliminary Findings and Conclusions, 26 December 2004.
35. The action plan was published thanks to the pressure of the Commission's President Barroso and its Trade Representative Peter Mandelson against the judgement of the External Relations Commissioner. See Daniel Dombey 'Brussels endorses Ukraine thaw plan', *Financial Times*, 4-5 December 2004.
36. COM(2003) 104, Wider Europe – Neighbourhood: A New Framework for relations with our Eastern and Southern Neighbours, 11 March 2003. http://europa.eu.int/comm/world/enp/pdf/com03_104_en.pdf.
37. According to the latest Eurobarometer, however, a majority of EU citizens approve of enlargement.
38. See Dov Lynch 'The Security Dimension of the European Neighbourhood Policy', *International Spectator* Vol. XL, n. 1, 2005. p. 33.
39. For a detailed analysis on the EU's approach to the Transnistrian conflict see Nicu Popescu 'The EU in Moldova – Settling conflicts in the neighbourhood', *Occasional Paper* No.60, EU Institute for Security Studies, October 2005. <http://www.iss-eu.org/occasion/occ60.pdf>.
40. Speech to EPC on 3 February 2006.
41. COM(2004) 373, European Neighbourhood Policy Strategy Paper, Brussels, 12 May 2004. http://europa.eu.int/comm/world/enp/pdf/strategy/strategy_paper_en.pdf.
42. *Ibid.*
43. COM(2004) 628, Proposal for a regulation of the European Parliament and of the Council laying down general provisions establishing a European Neighbourhood and Partnership Instrument, 29 September 2004. http://europa.eu.int/comm/world/enp/pdf/com04_628_en.pdf.
44. Edward McMillan-Scott, UK Conservative Member of the European Parliament (EP) and Vice-President of the EP, has proposed creating a so-called Democracy Fund to assure improved EU funding for initiatives to promote democracy and human rights in the EU's neighbourhood.
45. For example in the South Caucasus: International Crisis Group Europe Report 173, *Conflict Resolution in the South Caucasus: The EU's Role*, 20 March 2006. p.8. This is in spite of the fact that Georgia, for example, has clearly asked for conflict resolution as a top priority in its action plan.
46. Such as the OSCE Minsk Group for the conflict over Nagorny-Karabakh.
47. Speech in Cairo 7 May 2006.

48. E.g. Commission Country Strategy Paper SEC (2005) 287/3 has no figures.

49. See Karen E. Smith (2003) *European Union Foreign Policy in a Changing World*, Cambridge: Polity, chapter 7.

50. Michael Emerson (2004) *The Wider Europe Matrix*, Brussels: Centre for European Policy Studies.

51. See recent ideas for a 'deep free trade area' proposed by Michael Emerson et al. at CEPS.

52. Interview with official at the European Commission, April 2006; see also, Benita Ferrero-Waldner, 'Strengthening the partnership between the EU and its neighbours – Signature of EU-Moldova-Ukraine Memorandum of Understanding', Palanca cross border point, 7 October 2005. www.delmda.cec.eu.int/en/whatsnew/2005/10/memorandum.htm.

Executive summary

Although it was not designed with conflict prevention in mind, the European Neighbourhood Policy has the potential to be an important instrument to stabilise and resolve conflict situations in the wider Europe.

There are specific references to conflict prevention in some of the action plans which underpin the ENP, but no reference to it at all in others, reflecting the fact that these plans have to be negotiated and agreed jointly by the EU and the third country concerned.

In the absence of the big carrot of EU membership, the Union has reduced leverage over third countries. Nevertheless a strengthened ENP, with more resources, could offer them significant incentives to resolve conflict situations. The EU should therefore:

- Give greater priority to the ENP, designating a Commissioner for the ENP;
- Further increase funding for the ENP overall, with proportionately larger increases for regional and cross-border cooperation;
- Ensure that the human rights and democracy dimension of the ENP, and the ways in which these priorities are developed in the action plans, are actively pursued;
- Move to create a pan-European free trade area as soon as partner countries are ready;
- Include all ENP countries in plans to develop an EU energy policy;
- Involve those ENP partners that are ready, willing and able to participate in the discussion, and implementation phases of EU policies in the second and third 'pillars';
- Hold specific seminars and workshops for ENP partners, including NGO participants, to discuss how the EU can help resolve conflicts.



June 2006